

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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LINDA M. BOHELER,

Plaintiff,

V.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

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Civil Action No. 9:05-438-CMC-GCK

ORDER

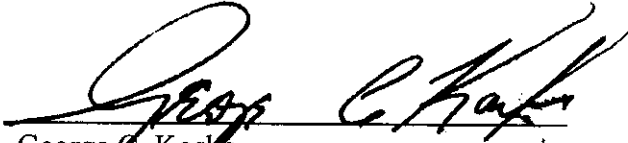
The Defendant, Jo Anne B. Barnhart, Commissioner of Social Security, by her undersigned attorneys, Jonathan S. Gasser, Acting United States Attorney for the District of South Carolina, and Marvin J. Caughman, Assistant United States Attorney for said district, has moved this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings.

On remand by the Court, this case will be remanded to an administrative law judge (ALJ) to further evaluate Plaintiff's residual functional capacity in light of the limitations supported by the record, resolve conflicting medical opinions of record, further determine Plaintiff's capacity for repetitive use of her upper extremities, and evaluate her ability to perform full-time work.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby

REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** of the cause to the Commissioner for further administrative proceedings as set out above.¹ See Shalala v. Schaefer, 509 U.S. 292, 113 S.Ct. 2625 (1993).

AND IT IS SO ORDERED.


George C. Kosko
United States Magistrate Judge

August 8, 2005
Charleston, South Carolina

¹The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.